

REMARKS

Claims 36-43 are pending. By this Amendment, claims 36 and 37 are amended and new claims 38-43 are added. No new matter is introduced by the amendments or new claims.

In view of the following comments, Applicants respectfully request favorable consideration and prompt allowance of claims 36-43.

Claim Objections

The Examiner objected to the preamble of claim 37. Applicants thank the Examiner for a careful reading of the claims. Applicants amended claim 37 and respectfully request withdrawal of the objection.

Claims Rejected Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 36 and 37 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter that Applicants regard as the invention.

While Applicants do not acquiesce in the Examiner's assertion, to advance prosecution, Applicants amended claims 36 and 37 and respectfully request withdrawal of the 35 U.S.C. § 112, second paragraph rejection.

Claim Rejections Under 35 U.S.C. § 102 Over Weissman

The Examiner rejected claims 36 and 37 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,602,674 to Weissman et al. ("Weissman"). While Applicants do not acquiesce in the Examiner's assertion, to advance prosecution, Applicants amended the claims. For the reasons discussed below, Weissman does not *prima facie* anticipate claims 36 or 37. Accordingly, Applicants respectfully request reconsideration of the rejection.

Weissman does not anticipate independent claim 36, as amended, or claim 37 dependent thereon, as the reference does not teach or suggest providing a real microscope slide, providing a virtual slide formed from a processed virtual image of said real microscope slide, said virtual image being a representation of a real image of said real microscope slide, enabling simultaneous viewing of said virtual and real images, and automatically and sequentially shifting and overlapping selective regions of said virtual and real images to obtain an optimal image.

Therefore, because Weissman does not teach all of the features of claim 36, Weissman does not anticipate Applicants' claimed invention. Applicants do not comment further on issues relating to dependent claim 37, although Applicants do not acquiesce in the Examiner's assertions regarding this claim. Applicants respectfully request the withdrawal of the rejection of claims 36 and 37 under 35 U.S.C. § 102(b) as being anticipated by Weissman.

New Claims

Claims 38-43 have been added. Because Weissman does not anticipate independent claim 36, it follows that Weissman does not anticipate claims 38-43 dependent thereupon. Applicants respectfully request prompt allowance of claims 38-43.

Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



Paul B. Savereide
Registration No. 36,914

Customer No. 24113
Patterson, Thuente, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 252-1550